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June 15, 2017

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By eFile

The Honorable Andrew T. Baxter  
U.S. Magistrate Judge  
Federal Building and U.S. Courthouse  
P.O. Box 7396  
Syracuse, NY 13261-7396

Re: *CAR-FRESHNER CORPORATION, ET AL. V. AMERICAN COVERS, LLC, ET AL.*  
CIVIL ACTION No.: 5:17-CV-171 (TJM/ATCB)

Dear Judge Baxter:

We represent Defendants in the above-referenced action. Pursuant to the Court's May 18, 2017 Order referring this case to the Mandatory Mediation Program, the parties' deadline for submitting their mediator selection to the Court is today, June 15, 2017. On June 6, 2017, Plaintiffs diligently reached out to Defendants to propose a list of mediators in light of the fact that it was Defendants who indicated a strong interest in early mediation at the Rule 16 conference. As the undersigned was involved in other pressing matters, we were unable to respond substantively to that inquiry. On June 12, 2017, Plaintiffs proposed that the parties use Mitchell Katz of Menter, Rudin & Trivelpiece, PC located in Syracuse, New York. The undersigned was out of the office until June 14 and also has been consumed over the past several weeks defending against a motion for a temporary restraining order in another case, among other things. While Defendants are now in the process of evaluating Plaintiff's proposed mediator and deciding whether Defendants should potentially propose an alternative, Defendants believe they need a short extension of time of one (1) week to properly make their evaluation and/or alternative proposal.

The parties have conferred, and Plaintiffs graciously have agreed not to object to Defendants' requested one (1) week extension to the mediator selection deadline. The extension should not materially impact any currently-scheduled deadlines. Accordingly, Defendants respectfully request that the Court approve the terms of the Stipulation by "so ordering" it.

Sincerely,

A handwritten signature in black ink, appearing to read 'William H. Brewster'.

The Honorable Andrew T. Baxter  
March 17, 2017  
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William H. Brewster

cc: Counsel of Record (via eFile)